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| 09/729,051 | 12/04/2000 | Glenn G. Bingham | 004701.P005 | 4545 |

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EXAMINER

BAYAT, BRADLEY B

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3621

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,051

Applicant(s)

BINGHAM ET AL.

Examiner

Bradley Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5,8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

Applicant has amended claims 1, 2, 14, 15, 21, 22 and 28 in the amendment filed on August 6, 2003. Thus claims 1-28 remain pending and are again presented for examination on the merits.

Response to Amendment

Applicant's arguments filed on August 6, 2003 with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01.

The omitted steps in claim 1 for example fail to indicate all the parties involved in the transaction (only a user is mentioned). Applicant's flowchart Figure 4, describes an initial step wherein a user login is required, but it's omitted in the independent claims. Furthermore, the independent claims state that a reservation is made in response to the request without defining who or what is reserving the request. The applicant is directed to Figures 4 and 5 in determining the essential steps omitted from applicant's claims.

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Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In independent claim 1 for example, the applicant claims "...said plurality of meeting facility resources including a meeting room and a guest room of a meeting facility..." A meeting room and a guest room are physical locations that the applicant cannot claim, but rather the applicant can indicate that "information" about such locations can be requested and reserved. The applicant describes a "meeting package" which includes a "plurality of meeting facility resources" and availability information regarding the meeting facility resources. Again the applicant claims a plurality of meeting facility resources rather than availability information about such resources. Then the applicant describes "said plurality of meeting facility resources" as including "a meeting room and a guest room of a meeting facility." It is vague and indefinite what constitutes a guest room of a meeting facility.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stone et al., U.S. Patent 6,446,045 B1, in view of Carter, U.S. Patent 5,926,798.

As per claims 1, 14, 21 and 28, Stone et al. discloses a complete inventory control and management and the global updating and accessibility of real-time and time-sensitive inventory

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while saving communication resources and time for any and all businesses that sell products, goods and services regionally and worldwide (see column 3, line 13-column 4, line 55). More particularly, Stone et al. teaches that any reservation can be made and confirmed in real-time regardless of the subject matter and in one embodiment, Stone et al. teaches that a database may contain fields for facility resources including meeting rooms, guest rooms, facility amenities, etc. for determining availability, requesting a reservation and receiving a confirmation in real-time (column 17, line 1-column 44, line 65; see figures 3a-k and associated text). Stone et al. does not explicitly teach the use of intelligent agents to carry out commands in carrying out a transaction. Carter teaches a method, computer program product and system for performing computer-based online commerce in which a client computer issues a commercial request and a plurality of server computer is available to service said request based upon content-related information and business policies, i.e., customer profile or criteria, business rules preset by the service provider (see abstract, column 4, line 4-60, columns 5-9). Carter discloses various examples of commands which an agent would make to a server while carrying out the review of content-related information and business policies of each server, including making, canceling or confirming a reservation, and inquiring as to availability and costs of goods or services (column 8, lines 15-61; figures 2 and 3 and associated text). Carter is evidence that one of ordinary skill in the art would recognize the benefit of utilizing an intelligent agent to decide which server should serve each sub-request based on content –related information and business policies. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention to utilize intelligent agents in determining and fulfilling meeting facility reservation requests based on certain criteria, as per teachings of Carter

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As per claims 2, 15 and 22, Stone et al. further discloses determining a price for said meeting facility based at least partially on a user profile (columns 3-4).

As per claims 3, 16 and 23, Stone et al. further discloses determining whether each of said plurality of meeting facility resources is available for reservation utilizing said inventory data; and displaying said inventory data for said meeting facility in response to a determination that each of said plurality of meeting facility resources is not available for reservation, and further wherein reserving each of said plurality of meeting facility resources in response to receiving said reservation request comprises: reserving each of said plurality of meeting facility resources in response to a determination that each of said plurality of meeting facility resources is available for reservation (see figures 3a-3k and 3i-a and associated text).

As per claim 4, Stone et al. further discloses updating said inventory data (column 3, line 39-column 4, line 16).

As per claim 5, Stone et al. further discloses defining a meeting package for each of a plurality of meeting facilities; and receiving a reservation request for said meeting package from a user comprises receiving a user selection of one of said plurality of meeting packages (figures 3a-3k and 3i-a and associated text).

As per claim 6, Stone et al. further discloses transmitting a confirmation message to said user (figures 3a-3k and 3i-a and associated text).

As per claims 7, 17 and 24, Stone et al. further discloses receiving meeting facility criteria including a preferred meeting date, a guest room quantity, and a meeting room quantity, wherein defining a meeting package comprises defining said meeting package based on said meeting facility criteria (figures 3a-3k and 3i-a and associated text; column columns 17-44).

As per claims 8, 18 and 25, Stone et al. further discloses defining a reservation rule for said meeting facility, wherein defining a meeting package based on said meeting facility criteria comprises: determining whether said meeting facility criteria satisfy said reservation rule; and identifying said reservation rule to said user in response to a determination that said meeting facility criteria do not satisfy said reservation rule (figures 2a-e and associated text; text describing the presentation rules database).

As per claims 9, 19 and 26, Stone et al. further discloses modifying one of said meeting facility criteria in response to a determination that said meeting facility criteria do not satisfy said reservation rule; and defining said meeting package based on said modified meeting facility criterion (figures 3a-3k and 3i-a and associated text).

As per claim 10, Stone et al. further discloses prompting said user to adjust said meeting facility criteria; and receiving an adjusted meeting facility criterion in response to said prompting (figure 3b and associated text).

As per claim 11, Stone et al. further discloses determining whether said meeting facility criteria satisfy said reservation rule; and modifying said reservation rule in response to a determination that said meeting facility criteria do not satisfy said reservation rule (figures 3a-3k and 3i-a and associated text).

As per claims 12, 20 and 27, Stone et al. further discloses defining a reservation quota for said meeting facility, wherein modifying said reservation rule comprises: determining whether said reservation quota is satisfied; and modifying said reservation rule in response to a determination that said reservation quota is not satisfied (figures 3a-3k and 3i-a and associated text).

As per claim 13, Stone et al. further discloses receiving food and beverage information; and defining a meeting package based on said meeting facility criteria comprises defining a meeting package including a plurality of meeting facility resources, said plurality of meeting facility resources including food and beverage service (column 17, lines 1-45).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Patent No. 5,933,810 to Okawa, Reservation Management Apparatus and Method for Making Arrangements According to Degrees of Importance of Reservations.
- Patent No. 5,909,668 to Fukuma, Banquet Hall Reservation Management System.

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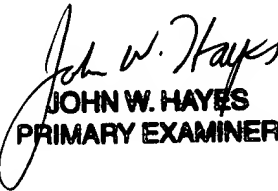
- Patent Application Publication US 2002/0016729 A1 to Breitenbach et al., System and Method for Scheduling Events and Associated Products and Services.
- Patent Application Publication US 2001/0029460 A1 to Yonemitsu, Schedule Management System.
- Patent Application Publication US 2001/0014865 A1 to Franke, Method and System for Conducting a Plurality of Cyber-Based Conventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached Tuesday thru Friday during regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The unofficial fax phone numbers for the examiner is 703-746-6128 and for all other organization communications or After Final communication is **703-872-9306**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

bbb
October 15, 2003


JOHN W. HAYES
PRIMARY EXAMINER